

Exhibit 12

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIAN DONNELLY AKA KAWS and
KAWS INC.,

Plaintiff,

-against-

Case No.: 1:21-cv 9562 (PKC)

**DEFENDANTS' RESPONSES TO
PLAINTIFFS' FIRST
SET OF DOCUMENT REQUEST**

JONATHAN ANAND, both individually and doing
business as HOMELESS PENTHOUSE,
PENTHOUSE THEORY, HIDEOUT.NYC,
INCOGNITO and YOUNG NEON, DAVID
KANG, DYLAN JOVAN LEONG YI ZHI, THE
PENTHOUSE THEORY, THE PENTHOUSE
COLLECTIVE and OSELL DINODIRECT
CHINA LIMITED,

Defendants.

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The Defendants, Jonathan Anand, both individually and d/b/a Homeless Penthouse, Penthouse Theory, Hideout. NYC, and Incognito (Collectively Known as "Defendants") through their attorney, Sanjay Chaubey, Esq., interposes the following answers and object to the Document Production of Plaintiffs' First Set of Document Request.

General Objections

The responding Defendants object to the Document Production requested by the Plaintiffs on the following grounds:

1. Defendants object to Production of Documents to the extent that it calls for information protected by the attorney-client privilege, work product and/or any confidential and proprietary privileged information held by Defendants, or any other applicable privilege.

2. Defendants object to each Production of Documents to the extent that it is unnecessarily burdensome, oppressive, vague and ambiguous, unreasonable cumulative or duplicative.
3. Defendants object to each Production of Documents the extent that it calls for a legal conclusion.
4. Defendants object to each Production of Documents to the extent that Plaintiff seeks information that is neither relevant to the subject matter involved in this litigation, nor reasonably calculated to lead to the discovery of admissible evidence.
5. Defendants object to each Production of Documents to the extent that Plaintiff failed to phrase their Document Production with clarity and fairness.
6. Defendants incorporate by reference all of the above general objections into its specific objections below.
7. Defendants reserve the right to seek an appropriate protective order with regard to any of the objectives or privileges contained herein.

Responses and Objections to Plaintiffs' First Set of Document Request

Response to Document Production #1-76:

- Request No. 1:** Defendant states that JA worked as marketing agent, all sales were done on China platform. Now all the businesses and websites are closed.
- Request No. 2:** Defendant states that JA worked as marketing agent, all sales were done on China platform. Now all the businesses and websites are closed.
- Request No. 3:** Defendant states that JA worked as marketing agent, all sales were done on China platform. Now all the businesses and websites are closed.
- Request No. 4:** Defendant states that JA worked as marketing agent, all sales were done on China platform. Now all the businesses and websites are closed.

- Request No. 5:** Defendant states that JA worked as marketing agent, all sales were done on China platform. Now all the businesses and websites are closed.
- Request No. 6:** Defendant states that JA worked as marketing agent, all sales were done on China platform. Now all the businesses and websites are closed.
- Request No. 7:** Defendant states that no KAWS toys were manufactured, all toys were bought in the open market.
- Request No. 8:** Defendant states that no KAWS toys were manufactured, all toys were bought in the open market.
- Request No. 9:** Defendant states that no KAWS toys were manufactured, all toys were bought in the open market.
- Request No. 10:** Defendant states that JA did not own any website.
- Request No. 11:** Defendant states his response to Request No. 11 as No.
- Request No. 12:** Defendant states his response to Request No. 12 as No.
- Request No. 13:** Defendant states his response to Request No. 13 as No.
- Request No. 14:** Defendant states his response to Request No. 14 as No.
- Request No. 15:** Defendant states his response to Request No. 15 as No.
- Request No. 16:** Defendant states his response to Request No. 16 as No.
- Request No. 17:** Defendant states his response to Request No. 17 as No.
- Request No. 18:** Defendant states his response to Request No. 18 as No.
- Request No. 19:** Defendant states his response to Request No. 19 as No.

Request No. 20: Defendant states his response to Request No. 20 as No.

Request No. 21: Defendant states his response to Request No. 21 as No.

Request No. 22: Defendant states his response to Request No. 22 as No.

Request No. 23: Defendant states his response to Request No. 23 as No.

Request No. 24: Defendant states his response to Request No. 24 as No.

Request No. 25: Defendant states his response to Request No. 25 as No.

Request No. 26: Defendant states his response to Request No. 26 as No.

Request No. 27: Defendant states his response to Request No. 27 as No.

Request No. 28: Defendant states his response to Request No. 28 as No.

Request No. 29: Defendant states his response to Request No. 29 as No.

Request No. 30: Defendant states his response to Request No. 30 as No.

Request No. 31: Defendant states his response to Request No. 31 as No.

Request No. 32: Defendant states his response to Request No. 32 as No.

Request No. 33: Defendant states his response to Request No. 33 as No.

Request No. 34: Defendant states his response to Request No. 34 as No.

Request No. 35: Defendant states his response to Request No. 35 as No.

Request No. 36: Defendant states his response to Request No. 36 as No.

Request No. 37: Defendant states his response to Request No. 37 as No.

Request No. 38: Defendant states his response to Request No. 38 as No.

Request No. 39: Defendant states his response to Request No. 39 as No.

Request No. 40: Defendant states his response to Request No. 40 as No.

Request No. 41: Defendant states his response to Request No. 41 as No.

Request No. 42: Defendant states his response to Request No. 42 as No.

Request No. 43: Defendant states his response to Request No. 43 as No.

Request No. 44: Defendant states his response to Request No. 44 as No.

Request No. 45: Defendant states his response to Request No. 45 as No.

Request No. 46: Defendant states his response to Request No. 46 as No.

Request No. 47: Defendant states his response to Request No. 47 as No.

Request No. 48: Defendant states his response to Request No. 48 as No.

Request No. 49: Defendant states his response to Request No. 49 as No.

Request No. 50: Defendant states his response to Request No. 50 as No.

Request No. 51: Defendant states:

- i. Please refer to <https://ecf.nysd.uscourts.gov/>, CIVIL DOCKET FOR CASE #: 1:19-cv-08338-KPF, Docket No.s 9 and 10 for Voluntary Dismissal and Termination of the case.
- ii. Please refer to <https://ecf.nysd.uscourts.gov/>, CIVIL DOCKET FOR CASE #: 1:16-cv-08308-LAP, for case is pending with no further process since 01/16/2020.

Request No. 52: Defendant states his response to Request No. 52 as No.

Request No. 53: Defendant states his response to Request No. 53 as No.

Request No. 54: Defendant states his response to Request No. 54 as No.

Request No. 55: Defendant states his response to Request No. 55 as No.

Request No. 56: Defendant states his response to Request No. 56 as No.

Request No. 57: Defendant states his response to Request No. 57 as No.

Request No. 58: Defendant states his response to Request No. 58 as Not Applicable.

Request No. 59: Defendant states his response to Request No. 59 as Not Applicable.

Request No. 60: Defendant states his response to Request No. 60 as Not Applicable.

Request No. 61: Defendant states his response to Request No. 61 as Not Applicable.

Request No. 62: Defendant states his response to Request No. 62 as Not Applicable.

Request No. 63: Defendant states his response to Request No. 63 as Not Applicable.

Request No. 64: Defendant states his response to Request No. 64 as Not Applicable.

Request No. 65: Defendant states his response to Request No. 65 as Not Applicable.

Request No. 66: Defendant states his response to Request No. 66 as Not Applicable.

Request No. 67: Defendant states his response to Request No. 67 as Not Applicable.

Request No. 68: Defendant states his response to Request No. 60 as No.

Request No. 69: Defendant states his response to Request No. 69 as Not Applicable.

Request No. 70: Defendant states his response to Request No. 70 as Not Applicable.

Request No. 71: Defendant states his response to Request No. 71 as Not Applicable.

Request No. 72: Defendant states his response to Request No. 72 as Not Applicable.

Request No. 73: Defendant states his response to Request No. 73 as Not Applicable.

Request No. 74: Defendant states his response to Request No. 74 as Not Applicable.

Request No. 75: Defendant states his response to Request No. 75 as Not Applicable.

Request No. 76: Defendant states his response to Request No. 76 as Not Applicable.

The request for production of documents under Numbers 11 - 76 are vague, overbroad cumbersome, unspecified and irrelevant. However, the Defendants state that JA did not own any website and or any company mentioned in the lawsuits, JA is just a marketing guy and works for the companies mentioned, Homeless Penthouse, Penthouse Theory, Hideout NYC, Incognito, Young Neon. Further, all these companies and websites have been closed and JA has no access to get any information.

Defendants reserve the right to supplement any other or further documents if found and in possession of the defendant in support of his claim.

Dated: April 10, 2022.
New York, NY

/s/ Sanjay Chaubey

SANJAY CHAUBEY, Esq.

Attorney for Defendants

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